

House Passes 'Sunshine' Act

Sell Sunshine Open Sessions Voted for Agencies

By Richard L. Lyons
Washington Post Staff Writer

The House yesterday passed 390 to 86 a bill requiring about 50 federal regulatory agencies to conduct their business in public unless they meet specified exemptions.

Officially titled "Government in the Sunshine Act," the bill, which passed the Senate in somewhat stronger form 95 to 0, would cover any multi-headed agency subject to the Freedom of Information Act. This means regulatory boards with several members, as contrasted with departments headed by a single Cabinet secretary.

Covered would be such agencies as the Federal Reserve Board, Federal Power Commission, Federal Communications Commission, Parole Board and Securities and Exchange Commission.

Covered agencies could

meet in closed session only for such reason as national security matters, confidential trade secrets and unwarranted invasion of personal privacy.

Common Cause, the self-styled citizen's lobby which has pushed the bill, said the House action "sets the stage for a new era of open government at the federal level." The bill would be a companion to the Freedom of Information Act which has permitted reporters and others to pry out information kept secret by federal agencies.

The bill also forbids ex parte (one sided) communications between any person and covered agency officials. This is to prevent improper pressure in behalf of an action such as an application for a television license. But requests for information on the status of a case would be permitted so that a member of Congress could

ask where a constituent's case stood.

The bill requires that when a covered agency holds a closed meeting it must make a public explanation and state its justification. Any person may go to court to seek a judgment that an agency illegally closed a meeting.

A provision requiring verbatim transcripts be kept of closed meetings and later released except for sensitive material was knocked out 201 to 192 on grounds it would inhibit free discussion. Instead, the bill requires that minutes of closed meetings be kept.

By 204 to 180, the House redefined "meeting" so as to exclude from coverage casual discussions, such as two members of a covered agency's meeting for breakfast and discussing the agenda for the day's meeting.